

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Amendment of the Commission's</b>	)	<b>RM – 10743</b>
<b>Rules to Promote the Use of</b>	)	
<b>VHF Public Coast Station Frequencies</b>	)	
	)	
	)	

**COMMENTS OF MOTOROLA INC.**

Motorola Inc. submits these comments in support of the above captioned Petition for Rulemaking. MariTEL's Petition requests that the Commission amend its rules to provide more flexible use of the VHF Public Coastal (VPC) spectrum by routinely allowing private land mobile use in land areas removed from navigable waters.

As a manufacturer of VHF land mobile equipment, Motorola recognizes the need for additional spectrum in this band to meet the needs of public safety and public service licensees. The VHF land mobile spectrum is congested in many areas of the United States, and because the current Part 90 VHF band plan is not allocated in established channel pairs, this band does not always provide a good environment for spectrally efficient technologies such as trunking. Existing public safety and public service licensees are discovering that it is increasingly difficult to find unencumbered Part 90 spectrum to update their VHF conventional systems to trunked technologies. The ability to add frequencies from an alternative source such as VPC spectrum without seeking a waiver would facilitate the efforts of users to meet their communications

requirements by making it possible to deploy more spectrally efficient technologies providing additional spectrum in congested areas. Removing the waiver requirements will make these filings less burdensome to the applicants as well as the Commission. It will also promote greater use of the spectrum and implementation of communications systems on a more expedited basis.

Many of our customers find the VHF band to be an excellent choice for large, rural, statewide systems when channels are available, because of the economic considerations associated with implementing such a system. It is well known that the propagation characteristics of VHF spectrum generally allow wide area users to construct a system with fewer base stations than may be required in other bands for equivalent levels of coverage. This aspect offers needed cost advantages, especially important during this time of limited financial resources and increased need for public safety/public service communications capabilities, particularly those needed for homeland security and disaster response.

MariTEL's proposed flexibility to deploy public coast channels for land mobile use is practical, given the relatively high level of commonality and technical compatibility between VHF maritime and VHF land mobile equipment and system implementation. In considering changes to its rules to provide greater service flexibility, the Commission should be mindful of the need to maintain technical rules that provide compatibility among systems to avoid interference. Absent appropriate technical rules, flexibility to more readily provide a variety of services could lead to development of disparate systems that could result in interference and harm efforts to promote efficient use of the spectrum.

A rule change to promote service flexibility in the VPC spectrum will help support public safety communications. However, this change is not a substitute for dedicated nationwide public

safety spectrum allocations that are required to meet current and future needs that were compellingly documented in the PSWAC report.

Should the Commission decide to proceed with a rulemaking in this matter, Motorola recommends that the FCC continue to consider current and future waivers during this process. Rulemaking timeframes can be quite lengthy and public safety and public service applicants should not be forced to wait for the completion of the process to gain access to this adjunct spectrum.

In conclusion, Motorola supports the Commission initiating a rule making proceeding to consider the rule changes proposed by MariTEL. Such changes would help provide some public safety and private land mobile users with an additional and practical spectrum option to support their dedicated communications system needs.

Respectfully Submitted,

/S/ Steve B. Sharkey  
Steve B. Sharkey  
Director, Spectrum and Standards Strategy  
Motorola, Inc.  
1350 I St., N.W.  
Suite 400  
Washington, DC 20005  
(202) 371-6953

July 31, 2003

**CERTIFICATE OF SERVICE**

I, Barbara Eisenrauch, hereby certify that on this 31<sup>st</sup> day of July 2003, the foregoing comments of Motorola, Inc. regarding the Petition for rule making filed May 16, 2003 by MariTEL, Inc. was filed electronically with the Office of the Secretary, Federal Communications Commission and sent via first class mail, postage prepaid to:

MARITEL, INC. c/o  
Russell H. Fox  
Mintz, Levin, Cohn, Ferris,  
Glovsky and Popeo, P.C.  
701 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2608

/S/ Barbara Eisenrauch

Barbara Eisenrauch